IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

| SAMUEL G. DORSEY, |) | |
|---------------------------------|---|--------------------------|
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 3:11-0126 |
| |) | Judge Trauger |
| METROPOLITAN GOVERNMENT OF |) | Magistrate Judge Griffin |
| NASHVILLE & DAVIDSON COUNTY and |) | |
| CORRECT CARE SOLUTIONS, |) | |
| |) | |
| Defendants. |) | |
| | | |

ORDER

On April 14,2011, the Magistrate Judge issued a Report and Recommendation (Docket No. 15), to which no timely objections have been filed. The Report and Recommendation is therefore ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that this case is **DISMISSED** as frivolous and malicious pursuant to 28 U.S.C. § 1915(e)(2). This dismissal shall count as a strike for purposes of 28 U.S.C. § 1915(g), but in no way shall prejudice the plaintiff's pending action, No. 3:10-cv-1197.

Any appeal from this Order would not be in good faith under 28 U.S.C. § 1915(a)(3). This Order constitutes the judgment in this action.

It is so **ORDERED**.

Enter this 25th day of May 2011.

ALETA A. TRAUGER

U.S. District Judge